

# New Hampshire Council on Resources and Development

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**Friday, October 12, 2007**  
**Office of Energy and Planning**  
**57 Regional Drive, Concord, NH**  
**Time 1:30 P.M.**

## **FINAL AGENDA**

### **I. ROLL CALL AND INTRODUCTIONS**

### **II. MINUTES:**

- A. Approval of CORD Meeting Minutes of September 6, 2007. Draft minutes distributed by email on September 28, 2007.

### **III. DISPOSAL OF STATE OWNED SURPLUS LAND REVIEW (SLR)**

#### **A. CLARKSVILLE**

**SLR 07-011**

**Request to convey rights of way over specific state owned roads in exchange for other much needed public rights of way over private land.**

The Department of Resources and Economic Development (DRED) and the Department of Environmental Services – Water Resource Board (DES) have received a request to grant an easement deed for vehicular and pedestrian access rights over the following state owned roadways: Deadwater Road, Road 36-05, Cedar Stream Road, and First Road to Gaston and Pauline Rodrigue in Pittsburg and Clarksville, New Hampshire. In order to provide necessary access for desired economic development in Clarksville, and to assure logging and public recreational access to significant areas of the Great North Woods, including the Connecticut Lakes Headwaters Forest, DRED and DES wish to exchange easement rights of access in perpetuity. The State will offer to Rodrigue vehicular and pedestrian access rights as listed above and detailed in the application in exchange for a vehicle and pedestrian access easement that may be used by the State and the public over Deadwater Road and an additional snowmobile and pedestrian easement.

#### **STAFF REPORT**

30-day review period ends October 11, 2007

***Administrative Services:*** No comment.

***Agriculture, Markets, and Food:*** No objection.

***Division of Historical Resources:*** No comment.

***Education:*** No objection.

***Emergency Services:*** No comment.

***Energy and Planning:*** No comment.

***Environmental Services:*** DES has had recent involvement and a briefing on this case, has signed the Governor and Council request dated August 31, 2007, and feels that the rights-of-way exchange represents a fair and equitable resolution for all parties involved.

***Fish and Game:*** No comment.

***Housing Finance Authority:*** No comment.

***Health and Human Services:*** No objection.

***Resources and Economic Development:*** No comment.

***Safety:*** No objection.

***Transportation:*** No comment.

***Lakes Management Advisory Committee:*** Not applicable.

***Rivers Management Advisory Committee:*** Recommends approval with two conditions:

- 1) The language dictating the allowed use of the substantial trail easement conveyed by the Rodrigue's to the State would include human-powered and snowmobile use (currently, the language allows only "pedestrian and snowmobile use," which would bar cross-country skiing, snowshoeing, mountain biking, etc.
- 2) The access easement on the roads conveyed by the Rodrigue's to the State will include a provision that the Rodrigue's and any succeeding owner(s) will maintain these roads using best management practices and any monitoring will occur by the NH Department of Environmental Services to insure that no water quality impairments result from these roads.

See letter on file.

***Public Waters Access Advisory Board:*** No comment.

***State Conservation Commission:*** Does not recommend approval and urges CORD to further study the the proposal in respect to its impacts to water quality, the costs of maintenance and Department monitoring, the increasing development that will be enabled in the sensitive Connecticut River headwaters, and the equity of this exchange between a private interest and the State of New Hampshire. The SCC also noted the following concerns along with the same to concerns submitted by RMAC (see above):

- 1) The easement appears to open a substantial parcel of privately owned land to development. The SCC is concerned that the Connecticut River headwaters may be adversely affected by this land use change and the roads that would be created to access this now land-locked parcel.
- 2) The SCC urges the CORD to further study this easement exchange in the context of the value conveyed to private interests vs. the benefit received by the State of New Hampshire.

See letter on file.

***Town of Clarksville:*** No comment.

***Connecticut River Joint Commissions – Headwaters Subcommittee:*** No objections. Considers the exchange appropriate in order to provide needed public recreation access. Encourages the use of Best Management Practices to protect the Connecticut River Headwaters. See letter on file.

***Long Range Capital Planning and Utilization Committee:*** Conditionally approved the request contingent upon a favorable recommendation by CORD. The Committee also made a second motion to allow any recommendations made by CORD and amenable to both the State and the Rodrigue's without requiring a second review by the Committee.

**September 6, 2007 Discussion:** Attorney Edwards presented CORD with an overview of the areas to be exchanged between the State and Rodrigue's. She stated that snowmobiling is a significant economic engine for the State and this area provides access and trails for such activities. It is also used for cross-country skiing. She further stated that the Rodrigue's have subdivided and sold a portion of their land and expressed concern that while the snowmobile trail land is still held by the Rodrigue's, it will ultimately be turned over to the homeowners association. There is no new construction planned for the area. Attorney Edwards additionally noted that the Rodrigue's are threatening to shut off access to roads used by the State for its logging operations if the exchanged does not occur in a timely fashion. Additionally, Mr. Gamache added that ensuring public and snowmobile access prior to wintertime is of vital importance as these areas serve as corridors to two prime snowmobile trails located at Big Diamond Pond and the Colebrook/Pittsburg area. The New Hampshire Snowmobile Association also utilizes these corridors.

Discussion followed regarding CORD's comment period, the Department of Justice and DRED's desire to present the request to the Long Range Capital Planning and Utilization Committee as soon as possible, and the feasibility of scheduling an interim CORD meeting allowing time for CORD's 30-day review that had just begun. Mr. Drew noted the important role winter activities play in the State's economy and suggested that CORD schedule an October meeting in order to expedite a decision. Chairman Ignatius stated that any extra effort put forth to achieve a full quorum at the October meeting would be helpful and that OEP would arrange for commissioners to call in to the meeting via a conference call.

**September 6, 2007 Action:** MOVED by Mr. Drew, seconded by Mr. Uncles, to SCHEDULE a meeting of CORD in October. The motion passed unanimously, 7-0. A meeting date of October 12, 2007 at 1:30 PM was agreed upon.

**ACTION:** Formal vote required.

**B. LEBANON**

**SLR 07-007**

**Request to sell approximately 16,500 square feet of land in Lebanon to Howard Laware, Railroad Avenue, Lebanon, NH.**

The Department of Transportation requests to sell approximately 16,500 square feet of land in Lebanon to Howard Laware on Railroad Avenue. Mr. Laware is the owner of the former barracks building in the railroad yard and has leased the land under and surrounding the building since his father purchased the building from the Boston and Maine Corporation. Mr. Laware and his family have asked to purchase the land under the building and a small driveway and yard area in order to make the longstanding lease arrangement permanent and to help facilitate future improvements and repairs to the building. DOT reports the parcel is a sufficient distance from the railroad main line track and sidings to maintain current and future railroad operations.

**ACTION:** This item remains on the table and has been placed on the agenda in the event there are any questions to be answered by DOT at this time.

**IV. CORD 2007 - 2008 PROPOSED MEETING SCHEDULE**

November 1, 2007  
January 3, 2008  
March 6, 2008

*All meetings will be held at the Office of Energy and Planning, 57 Regional Drive, Concord, NH, unless otherwise noticed. Meetings begin at 9:30 AM.*

**V. ADJOURNMENT**